IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24723 of 2004

Between:

Gandham Suman Kumar S/o late Sri. G.S.K. Sastry
R/o USA rep by GPA Holder G. Sudhir Kumar S/o Late GSK Sastry, R/o Plot No. 4
Bhavana Colony
Bowenpally, Secunderabad-11

..... PETITIONER

AND

1 Government of Andhra Pradesh rep by Commissioner (Appeals) O/o

The Chief Commissioner of Land
Administration, Andhra Pradesh, Nampally, Hyderabad
2 The District Collector, Hyderabad District, Hyderabad
3 The Revenue Divisional Officer, Secunderabad Division,

Secunderabad
4 The Mandal Revenue Officer, Trimulghery Mandal, Secunderabad

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings NO. CCLA's Ref.No. BCW 5/381/04 dt 25-11-2004 on the file of the 1st respondent as illegal, arbitrary and against the Art. 14 and 300A of the Constitution of India and also against the violation of the principles of natural justice and set aside the same and consequently direct the respondents to stay of all further proceedings on the file of the 4th respondent in his proceedings No. C/1195/2003 dt 8-3-2004 pending appeal before the 1st respondent.

Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO
Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

The grievance of the petitioner in this writ petition is that against the proceedings No.C/1195/2003, dated 08.03.2004 of the

4th respondent-Mandal Revenue Officer, directing him to vacate the subject land immediately, he preferred revision along with stay application before the 1st respondent-Commissioner (Appeals), but the 1st respondent without giving any notice either to him or to his counsel communicated the proceedings No. CCLA's Ref.No.BCW5/381/04, dated 25.11.2004 intimating that the revision filed by him was admitted and the stay sought for on the operation of the proceedings of the 4th respondent dated 08.03.2004 was rejected. Hence, he filed the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed to dispose of the writ petition at the admission stage with a direction to the Commissioner (Appeals) to dispose of the revision filed by the petitioner expeditiously.

Having regard to the facts and circumstances of the case, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-Commissioner (Appeals) to dispose of the revision filed by the petitioner, expeditiously.

Till such time status quo obtaining as on today shall be maintained.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 30.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner (Appeals)

O/o The Chief Commissioner of Land
Administration, Government of Andhra Pradesh, Nampally,

Hyderabad
2 The District Collector, Hyderabad District, Hyderabad
3 The Revenue Divisional Officer, Secunderabad Division,

Secunderabad
4 The Mandal Revenue Officer, Trimulghery Mandal, Secunderabad

5 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

6 Two CD copies.